

003637.100690



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrew Corlett et al.

Serial No.: 10/080,925 Group:

Filed: February 22, 2002 Examiner:

For: Network Metric System

685 Third Avenue
New York, New York 10017
212-297-5800

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Attn: Customer Service Center
Initial Patent Examination Division

Sir:

In response to the outstanding "Notice to File Missing Parts ..." of March 18, 2002 on the above-identified application, the Applicants respectfully submit:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Commissioner for Patents, Washington, D.C. 20231, on May 17, 2002

John F. Gulbin


Signature

May 17, 2002

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-1145.

877910A01051702

- a) a Declaration duly signed by both inventor/applicants, Andrew Corlett and Robert Mandeville;
- b) a Power of Attorney duly signed by Andrew Corlett;
- c) a Power of Attorney duly signed by Robert Mandeville;
- d) a copy of the "Notice to File Missing Parts ..." bearing the legend "Part 2-Copy to be returned with response"; and
- e) our check for \$987.00, the fees due at of the present time on the application for a small entity, such status being hereby claimed. A Fee Transmittal (Form PTO/SB/17), showing the various fees being paid by our check, is also enclosed.

It should be noted that the correspondence address given in the enclosed Declaration is different from that given when the application was filed. All correspondence should henceforth be addressed to the undersigned at the address on the declaration.

Respectfully submitted,



John F. Gulbin
Registration No. 33,180

212-297-5800
Pitney, Hardin, Kipp & Szuch, LLP
685 Third Avenue
New York, New York 10017-4024



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/080,925	02/22/2002	Andrew Corlett	4470-7

30076
BROWN RAYSMAN MILLSTEIN FELDER & STEINER, LLP
SUITE 711
1880 CENTURY PARK EAST
LOS ANGELES, CA 90067

CONFIRMATION NO. 1175
FORMALITIES LETTER



OC000000007661197

Date Mailed: 03/18/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/24/2002 TBESHAI 00000037 10080925

FILED UNDER 37 CFR 1.53(b)

01 FC:201	370.00 OP
02 FC:203	468.00 OP
03-FC:202	84.00 OP
04 FC:205	65.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1104.
 - \$936 for 52 total claims over 20.
 - \$168 for 2 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1974.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



M 11
MP 88

PTO/SB/17 (11-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\\$) 987
-------------------------	-----------

Complete if Known

Application Number	10/080,925
--------------------	------------

Filing Date	February 22, 2002
-------------	-------------------

First Named Inventor	Andrew Corlett
----------------------	----------------

Examiner Name	
---------------	--

Group Art Unit	
----------------	--

Attorney Docket No.	003637.100690
---------------------	---------------

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 740	201 370	Utility filing fee	370
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
SUBTOTAL (1) (\$)		370	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
72	-20** =	52	x 9 =	468
5	- 3** =	2	x 42 =	84
			=	

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		552

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	65

SUBMITTED BY

Complete if applicable

Name (Print/Type)	John F. Gulbin	Registration No. (Attorney/Agent)	33,180	Telephone	212-297-5800
Signature	<i>John F. Gulbin</i>			Date	May 17, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.